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 BAXTER INTERNATIONAL INC.
 and BAXTER HEALTHCARE CORPORATION

UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND DIVISION

FRESENIUS USA, INC., a Massachusetts
 corporation; and FRESENIUS MEDICAL
 CARE HOLDINGS, INC., a New York
 corporation,,

Plaintiffs and Counter-Defendants,

v.

BAXTER INTERNATIONAL INC., a
 Delaware corporation; and BAXTER
 HEALTHCARE CORPORATION, a Delaware
 corporation,,

Defendants and Counter-Plaintiffs.

Case No. C 03-1431 SBA (EDL)

**ORDER GRANTING
 ADMINISTRATIVE MOTION TO FILE
 UNDER SEAL THE MOTION TO BAR
 FRESENIUS' PROFFERED DAMAGES
 EXPERT PROFESSOR RUBINFELD
 AND
 EXHIBITS 1, 3, 4, 5, 6, 7, AND 8 TO THE
 DECLARATION OF PATRICK
 KELLEHER IN SUPPORT OF SAID
 MOTION**

**Date: April 11, 2006
 Time: 1:00 P.M..
 Hon. Sandra Brown Armstrong**

1 The Court having considered Baxter International Inc. and Baxter Healthcare Corporation's
2 Administrative Motion to File Under Seal certain documents, and good cause appearing pursuant to
3 Civil Local Rules 7-11 and 79-5(d),

4 IT IS HEREBY ORDERED that the clerk's office shall accept for filing under seal the
5 previously-lodged sealed copies of the following documents:
6

- 7 1. Baxter's Motion to Bar Fresenius' Proffered Damages Expert Professor
8 Rubinfeld; and
- 9 2. Exhibits 1, 3, 4, 5, 6, 7 and 8 to the Declaration of Patrick Kelleher in
10 Support of Baxter's Motion to Bar Fresenius' Proffered Damages Expert
11 Professor Rubinfeld

12 IT IS SO ORDERED.

13 DATED:3/9/06

14 CH02/ 22441122.2


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HON. JUDGE SAUNDRA BROWN ARMSTRONG
JUDGE OF THE U.S. DISTRICT COURT